

SRI R. GUNDU RAO :—Sir, I beg to move :

“That the Karnataka Motor Vehicles (Taxation) (Amendment) Bill, 1979 be passed.”

MR. CHAIRMAN.—The question is :

“That the Karnataka Motor Vehicles (Taxation) (Amendment) Bill, 1979 be passed.”

The Motion was adopted and the Bill was Passed

5-00 P. M.

Motion to rescind the Suspension of Members

† SRI D. DEVARAJ URS (Chief Minister).—Sir, with your permission and with the permission of the House I want to move a motion under 309 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Assembly. I am asking for leave of this House to move a motion to revoke the suspension order passed against the Opposition Members and to request them to come back to this House. I would first like to tell the reasons as to why I am requesting them to come back.

It is in a spirit of deep concern for the preservation of democratic values that I am seeking the permission of the Hon'ble Speaker to make this statement in this august House. As you are all aware, the normal functioning of the Legislature has been seriously disrupted by the stand and behaviour adopted by certain Opposition members, including threats of assault against the Speaker, in a manner wholly incompatible with any valid concept of proper democratic functioning. The ugly and unseemly scenes witnessed in this august House inescapably led to the suspension of many Opposition Members, a decision which was painfully forced on us in the context of the need to ensure even minimal standards of decency and decorum.

I would like to reiterate here that the disturbances which followed in the wake of Smt. Indira Gandhi's expulsion and imprisonment were by no means confined to Karnataka, but have taken place in many other parts of this country including Janata-ruled States, as reported in the national and International Press. Here is a resume-

1) 19-12-1978.

At Delhi the agitators set fire to Delhi Transport Corporation Bus at Safdarjung Road on the night of 19-12-1978.

There was violence in the form of stone pelting at Madras Trivandrum Gwalior, Trichur Nagpur, Chandrapur, Thane and Ahmednagar. At Ahmedabad four buses were burnt. At Delhi one bus was burnt while

at Nagpur several trucks, buses and other motor vehicles were damaged due to stone-pelting.

2) 20-12- 1978.

1) The agitators defied the prohibitory orders in Delhi at various places and the Police opened fire in the air at two places to disperse the unlawful assembly.

2) At Calcutta the agitators set fire to two trams and also one Bus.

3) One Marxist worker was killed in a clash between the supporters and opponents of Mrs. Gandhi at Pynoor in Cannanore District of Kerala.

4) Violent acts were perpetrated by the demonstrators at Jubbulpore and Police lathi charged at several places,

5) Police used tear gas and lathi charge at some centres in Punjab, Rajasthan, M P, Maharashtra and Karnataka. There were incidents of Police firing at Katkol (Nagpur) and Delhi but none was injured.

6) In Madras one Post Office was set on fire. Railway Station was ransacked and several attempts were made to disrupt Rail and Road Traffic. Early morning bomb explosion threw the suburban trains out of gear.

7) At Indore, 6 persons were injured in a clash between the Police and Youth Congress-I workers at the Commissioner of Police office when the miscreants attempted to set fire to a Jeep and a Car.

8) At Chandur, in Amaravathi District in Maharashtra the mob poured petrol over the SI and set his cloth on fire. He was rushed to the Hospital for treatment.

3) 21-12-1978

In Bombay a double decker bus was burnt in the early hours of 21-12-1978 and a few instances of stone throwing were reported in different parts of Bombay. Police made lathi charge, used tear gas at Barasat (24 Paraganas) and Purulia in West Bengal, Faziika Jullundar and Sangrur in Punjab and Nagpur in Maharashtra. At Bombay demonstrators damaged a few buses.

4) 22-12-1978.

At Arvi Town near Nagpur in Maharashtra the agitators resorted to acts of violence, Police opened fire killing 2 and injuring 6. Curfew was imposed

In Bombay the agitators entered the chambers of the Chief Minister in the Secretariat and damaged the chambers and remained there till they were arrested by the Police.

The Vagai Express train going towards Madras derailed at Tiruchirapally as a result of which two bogies capsized and one passenger was injured.

At Srinagar the agitators ransacked the Telephone Exchange and cut off wires. The mob clashed with the Police and some of the agitators were injured.

At Kanpur (UP) the agitators tried to enter the Courts and they were dispersed by lathi charge by the Police.

Police opened several rounds of fire to disperse the mob between the supporters of 2 rival political parties over the observance of a Bundh at Raninagar, Murshidabad District.

In another incident some miscreants are reported to have snatched away the revolver from the Police SI at Danjur in Howrah District West Bengal.

5) 24-12-1978.

At Bombay 300 buses were damaged by stone pelting, 3 double decker buses were burnt besides two Private cars were also burnt.

At Nellore in A. P. two explosions took place on the Railway track after the departure of Tata Express Train.

I am not for a moment condoning the violence that has occurred; violence absolutely has no place in a democracy, but it is necessary to emphasize that what happened as a sequel to mt. Indira Gandhi's expulsion and arrest was a spontaneous reaction to an action taken against a beloved mass leader, who had just won a huge mandate from Chikmagalur, and whose charismatic personality has an appeal to the people, especially the have-nots and minorities which no one but the most blindly prejudiced can deny. That women and school-going children also participated in this spontaneous outburst of emotion shows that it was not engineered or instigated, though certain anti-social elements took advantage of the situation, as they invariably do on all such occasions. And these were firmly dealt with, as the number of arrests testify.

Let me reiterate, with all the emphasis at my command, that to accuse the Congress Government the Congress Party and the Police of any sort of complicity, let alone collusion in these unfortunate and deplorable incidents is less than fair to put it mildly. How violence could possibly be in the interest of the ruling party and Government in the context of clamorous demands by the Opposition for the imposition of President's rule on the specious ground that law and order had broken down, is beyond the comprehension of any intelligent person.

Here I would like to set the record straight as far as the nature and duration of the outburst of destruction and vandalism that occurred is concerned. The moot point was that the situation was brought under control within a day and half, in contrast to weeks and weeks of serious disturbances that have engulfed Agra, Pantnagar Belchi etc., without similar allegations of the constitutional machinery having broken down, because these happened to be Janata ruled States, and similar demands for the imposition of President's Rule. This is not a subjective assessment made by me but conforms to the appraisal of all unbiased citizens of the State and else where. No less an authority than the Governor of the State. Shri Govind Narayan, told the Press in Hubli on December 30 that while the law and order situation in Bangalore on December 19 and 20th, was and I quote "quite disturbing" the police were able to control the situation by the afternoon of December 20, adding that after December 21, onwards, "no trouble of a serious nature took place". Noticing that the Chief Minister was away in Delhi on December 19, the Governor had said, and I quote from a report in the Press "he was happy that the Chief Minister had immediately returned and gave a firm direction that lawlessness must be suppressed, whoever the culprits may be" "The Governor had also said that the police were very prompt in taking action". So much for the allegation that the violence was engineered let alone that the authorities had instigated or colluded with the pagitators: Let me say again these sad events should not have taken place. I am deeply saddened and grieved over the loss of lives and property that has resulted from these unfortunate occurrences and I could like remind the House that even before the Opposition demanded it, I made the offer that compensation to victims of mob fury would be considered on merits. On January, 25 I told this House that compensation would be ordered in deserving cases and I had suggested that false complaints seeking compensation would be looked into by the Income-tax department. The Janata Party has also spoken with two voices—as they usually do on all important occasions—on this matter, Shri Deve Gowda, candidly admitting that the situation had been quickly controlled, while some of his less responsible and more vocal colleagues went on making wild allegations.

In regard to the demand for a judicial inquiry into the incidents, I have already made it clear that the insistence on an omnibus probe is not tenable, because of the vague and unspecific nature of the demand. I have gone to the extent possible to accommodate Opposition sentiment on this issue in offering to hold discussions with them. I have told this House earlier: Let us see whether any individual incidents are there, where enquiry becomes necessary. It will not depend on X, Y or Z, but on the situation and facts as they

come before us, Depending on that, we may think of it To say in omnibus way judicial enquiry for every-thing, I am sorry, is not correct. That is my submission "

I am sure that all right thinking people will agree that this is a reasonable position that Government have adopted We are all here by virtues of the mandate of the people and we have to observe the restraints, norms and values of the parliamentary system. We had all taken an oath under the Constitution and this imposes on us the duty and obligation to sort out differences through Constitutional methods and not to resort to violence. As M Ps., MLAs or MLCs how are we different from any street corner agitator, if we do not adhere to constitutional methods to resolve our differences ? Violence outside the sacred halls of the legislature is bad enough but violence inside the legislature is wholly reprehensible. The ultimate decision on all these matters is made by the people whose verdict has conclusively proved, in two recent elections in Karnataka, where their preference lies. The authority vested in the representatives of the people must not be abdicated in favour of easier populist politics. There has been talk of thousands of people'' being brought in from outside the State to carry on the agitation which the Janataparty is conducting to press for the acceptance of their untenable demands in relation to an omnibus enquiry etc. There has been talk of "floods of blood" and so forth. How can such statements be possibly condoned? Throughout my political career, stretching over nearly 40 years, which coincides with my legislative career, I have never advocated or incited anything that could possible lead to lawlessness and violence. If there had been, during that long stretch, any instances of a possible lapse, I have never hesitated to tender an apology to the House and Speaker.

Regarding the Emergency, the Janata leaders have made much of alleged contraventions of constitutional methods. In the same breath, how could they justify their present resort to methods that do not conform to the rules and regulations of the parliamentary system? with good reason, we have adopted this system and everyone of us should see that it works: otherwise the alternative is chaos and anarchy.

I can well understand that possibly in the wake of the disturbances, the Janata leapership, in an emotional spasm, over-reacted and started indulging in inflammatory rhetoric. Now they have had time to assess the mood of public opinion and in that light, to reappraise their position and abandon the wholly counter-productive methods which have only disrupted the functioning of the normal machinery. I earnestly appeal to them to do so. I would like to

quote here from a very balanced editorial which appeared in the January 25th issue of Indian Express": "By displaying their power of disruption and defiance, the Opposition members furthered no cause whatsoever. If anything, they reinforced the growing doubt in the mind of the people about the value system attached to democracy and universally accepted norms of its working. Respect for the majority is, after all the essence of democracy." In regard to the allegation of police "inaction" this surely is a matter for departmental enquiry and action, and for not a judicial enquiry. We have appointed Mr. Veerabhadraiah as I.G.P., a man reputed for his honesty and efficiency, and the authorities can be approached with specific cases of complaints of inaction, if any, and if seen to be well-founded after due examination of the files and other relevant material, enquiries can be instituted against the erring officials concerned.

We, in the Treasury Benches, again request the Opposition to reconsider their stance and to return to the House where they will be able to play their full and honourable role in the mainstream of public life.

As Jawaharlal Nehru said: "Democracy does not simply mean shouting loudly and persistently, though that might occasionally have some value. Freedom and democracy require responsibility and certain standards of behaviour and above all self-discipline.

"In a democratic structure of Government, there is nothing irrevocable. We can sit down and consider any matter at any time". "Parliamentary democracy demands many virtues. It demands, of course, ability. It demands a certain devotion to work. But it demands also a large measure of co-operation of self-discipline or restraint."

The leader of the opposition and his supporters, unfortunately, came to this session with the determination to bring the proceedings of this august House to a stand still. It was their objective not only to prevent the discussion on the Motion of Thanks on the Governor's Address—an opportunity which in itself could have been used by them to give vent to all their grievances against the Government—but also to prevent the passage of the Bills needed to replace Ordinance all of which were necessary in the public interest and without which the ordinances would have lapsed.

Here, I would like to mention, the House has in its wisdom passed all these Ordinances. I am sure no Member of the House who is here has not appreciated. All the Ordinances that were passed and approved as enactments are directed towards the welfare of the people. Even now there was Pawn-brokers (Amendment) Bill, which

was passed. The House heard how the Hon. Member Sri C. M. Arumugham was able to point out the defects and the difficulties in the working, how the poor people have been subjected to so much of exploitation and how the blood of the poor is sucked by people who have the means of money power. Is it not our duty to see that the poor people are at least not subjected to such harassments? Most of the Bills and Ordinances that we have brought are all towards doing something good and something better to the people. I am extremely unhappy to see that the hon. members of the Opposition, though they, have been given this opportunity to participate, to discuss, to debate to give suggestions and even to criticise where the Government has gone wrong, have voluntarily extinguished their own right. I say it voluntary because no where in the Constitution or under the Rules it is permitted for either a member or a group of members to wilfully obstruct the proceedings and the conduct of business of this House. It is not my business or of X, Y or Z it is Government business and it is for the public. So, consciously or unconsciously they have subjected themselves and opened themselves to the criticism that they are not in a position to co-operate and participate in the proceedings even though the Government had brought in Bills to see that exploitation is not there, to see that poor people come up and the lot of the poor people is improved. This is the Business that they want to prevent and want to see that the House does not proceed with the business. They cared very little about it.

They cared little about the Bills and legislation we sought to pass here, their one object being to try and humiliate the Government in respect of some unfortunate incidents which took place and which in this State were more swiftly controlled than were similar incidents in the States run by their own party. This House was justified in seeing that its business was conducted and that too swiftly and with the quiet and dignity necessary for that purpose: and in resolving that these members be suspended from this House. Yet, having been the Leader of this House and before that a member of the Treasury benches for many years, I have come to believe, like many men wiser than I, that democracy is meaningless unless there is also an Opposition.

Therefore, I would like to say that it is unfair to expect the Government to act under duress and I invite, once again, the Opposition for discussions and debates so that differences may be resolved in the lawful manner. The time for recriminations and hurling charges is over. The germs for an honourable settlement are present and as far as Government is concerned, we extend our hand to the opposition so that this issue can be resolved without further resort to the sterile and counter-productive tactics,

5-30 P.M.

Sir, with these words, I would like to move the following motion for the consideration and acceptance of this House :

“This House resolves that the suspension of Members of this House on 23rd, 24th, 29th and 30th January and 2nd February 1979, be terminated and the members permitted to attend the sittings of the House.”

MR. SPEAKER.—The question is :

“That this House resolves that the suspension of Members of this House on 23rd, 24th, 29th and 30th January and 2nd February 1979, be terminated and the members permitted to attend the sittings of the House.”

The motion was adopted

SRI B. V. KAKKILAYA.—Let us hope that our friends who are outside will come on the last day of the session and join us.

MR. SPEAKER.—I am happy that the unfortunate episode has ended.

The House stands adjourned to meet tomorrow at 9 A.M.

The House adjourned at Thirtyfive minutes past five of the Clock to meet again at Nine of the Clock on Saturday the 3rd February 1979.